

REFERENCE TITLE: schools; energy efficiency funds

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2501

Introduced by
Representatives Mason, Burton Cahill, Chase, Jones, Sinema, Weiers J,
Senator Miranda: Representatives Burns J, Downing, Kirkpatrick,
Konopnicki, Lujan, McComish, Meza, O'Halleran, Senators Gray, Soltero

AN ACT

AMENDING TITLE 15, CHAPTER 9, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-910.02; RELATING TO SCHOOL FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 9, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-910.02, to read:

4 **15-910.02. Energy efficiency funds**

5 A. EACH SCHOOL DISTRICT AND CHARTER SCHOOL SHALL ESTABLISH AN ENERGY
6 EFFICIENCY FUND THAT CONSISTS OF A DESIGNATED REVOLVING POOL OF CAPITAL
7 INVESTMENT MONIES DEPOSITED IN THE FUND BY UTILITY COMPANIES THAT PROVIDE
8 SERVICES TO THE SCHOOL DISTRICT OR CHARTER SCHOOL PURSUANT TO CONTRACTS THAT
9 ARE EXECUTED BETWEEN THE UTILITY COMPANIES AND THE SCHOOL DISTRICT OR THE
10 CHARTER SCHOOL AND THAT ARE DESIGNED TO INCREASE ENERGY EFFICIENCY IN SCHOOL
11 BUILDINGS.

12 B. THE AUDITOR GENERAL AND THE DEPARTMENT OF EDUCATION SHALL PRESCRIBE
13 THE APPROPRIATE DESIGNATION OF THE ENERGY EFFICIENCY FUNDS IN THE CAPITAL
14 OUTLAY SECTION OF THE BUDGET AND SHALL PRESCRIBE REPORTING REQUIREMENTS ON
15 THE APPROPRIATE BUDGET FORMS AND ON THE APPROPRIATE ANNUAL FINANCIAL REPORT
16 FORMS.

17 C. MONIES DEPOSITED IN AN ENERGY EFFICIENCY FUND SHALL BE USED AS A
18 DESIGNATED CAPITAL POOL OF MONIES TO PAY FOR THE INCREMENTAL COST OF ENERGY
19 EFFICIENT MEASURES IN SCHOOL BUILDINGS THAT ARE OWNED OR OPERATED BY THE
20 SCHOOL DISTRICT OR CHARTER SCHOOL. ANY CONTRACT ENTERED INTO PURSUANT TO
21 THIS SECTION SHALL DEMONSTRATE ENERGY COST SAVINGS IN THE UTILITY PORTION OF
22 THE MAINTENANCE AND OPERATIONS BUDGET OF THE SCHOOL DISTRICT OR CHARTER
23 SCHOOL.

24 D. EXPENDITURES FROM AN ENERGY EFFICIENCY FUND SHALL ONLY BE USED FOR
25 THE FOLLOWING:

26 1. PROJECTS THAT IMPROVE ENERGY EFFICIENCY IN SCHOOL BUILDINGS THAT
27 ARE OWNED OR OPERATED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL. MONIES MAY
28 BE USED PURSUANT TO THIS PARAGRAPH TO PROVIDE TECHNICAL ASSISTANCE TO SCHOOL
29 DISTRICTS AND CHARTER SCHOOLS.

30 2. THE REPAYMENT TO UTILITY COMPANIES OF CAPITAL INVESTMENT MONIES
31 DEPOSITED IN THE FUND FROM ENERGY SAVINGS OF THE SCHOOL DISTRICT OR CHARTER
32 SCHOOL.

33 E. SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL PROCURE ENERGY SAVINGS
34 SERVICES AND DEVICES WITH MONIES DISTRIBUTED FROM THE ENERGY EFFICIENCY FUND
35 IN ACCORDANCE WITH SECTION 15-213.01.

36 F. AFTER IMPLEMENTATION OF THE ENERGY SAVINGS PROJECTS OR SERVICES,
37 THE PROJECT CONTRACTOR SHALL COMPUTE THE ACTUAL AMOUNT OF THE ENERGY SAVINGS
38 ACHIEVED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL ON A MONTHLY BASIS AND
39 CERTIFY THE ACCURACY OF THIS COMPUTATION IN WRITING TO THE SCHOOL DISTRICT OR
40 CHARTER SCHOOL.

41 G. THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL DEPOSIT THE AMOUNT OF
42 THE ENERGY SAVINGS CERTIFIED IN SUBSECTION F OF THIS SECTION IN THE ENERGY
43 EFFICIENCY FUND TO REPAY ANY UNPAID BALANCE OF THE CAPITAL INVESTMENT
44 PREVIOUSLY DEPOSITED IN THE ENERGY EFFICIENCY FUND BY THE UTILITY COMPANY.

1 THE UTILITY COMPANY SHALL PROVIDE A SEPARATE BILLING TO REPAY THE CAPITAL
2 INVESTMENT ON A MONTHLY BASIS.

3 H. AFTER THE BALANCE OF THE UTILITY COMPANY'S CAPITAL INVESTMENT
4 DEPOSITED IN THE ENERGY EFFICIENCY FUND IS REPAYED IN FULL BY THE SCHOOL
5 DISTRICT OR CHARTER SCHOOL, THE SCHOOL DISTRICT OR CHARTER SCHOOL MAY
6 DISCONTINUE THE DEPOSIT IN THE ENERGY EFFICIENCY FUND OF AMOUNTS THAT ARE
7 PRESCRIBED IN SUBSECTION G OF THIS SECTION AND THAT REPRESENT CERTIFIED
8 ENERGY SAVINGS.

9 I. ANY MONIES REMAINING IN THE ENERGY EFFICIENCY FUND AFTER THE
10 CAPITAL INVESTMENT OF THE UTILITY COMPANY IS REPAYED IN FULL MAY BE
11 TRANSFERRED TO THE MAINTENANCE AND OPERATION PORTION OF THE SCHOOL DISTRICT'S
12 OR CHARTER SCHOOL'S BUDGET, AND THE GENERAL BUDGET LIMIT MAY BE INCREASED BY
13 THE AMOUNT TRANSFERRED.